

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare:

that my residence, post office address and citizenship are as stated below next to my name;

that I verily believe that I am the original, first and sole inventor of the invention which is the subject of an application entitled: COST REACTIVE SCHEDULER AND METHOD, said invention being described and claimed in the specification of application Serial No. 09/476,615 filed December 31, 1999 ("Application A"), and that I have reviewed and understand the content of said specification, including the claims;

that said Application A in part discloses and claims subject matter disclosed in my earlier filed, co-pending application Serial No. 09/129,863 filed August 6, 1998, now U.S. Patent No. 6,154,735 (hereinafter "Application B");

that as to the subject matter of Application A which is common to said Application B, I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to said Application B, that the same was not in public use or on sale in the United States of America more than one year prior to said Application B, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of said Application B in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said Application B;

that as to any subject matter of Application A which is not common to said Application B, I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to Application A, that the same was not in public use or on sale in the United States of America more than one year prior to Application A, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of Application A in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to Application A; and

that as to the subject matter of Application A, which is not common to said Application B, that no application for patent or inventor's certificate has been filed in any country foreign to the United States of America prior to Application A by me or my legal representatives or assignors, except as follows:

and that I acknowledge my duty to disclose information of which I am aware that is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of Application B and the filing date of Application A.

I hereby appoint the following attorneys to prosecute said application and to transact all business in the Patent and Trademark Office connected herewith and to file, prosecute and to transact all business in connection with international applications directed to said invention: L. Lawton Rogers, III, Esq., Registration No. 24,302; D. Joseph English, Esq., Registration No. 42,514; Mark C. Comtois, Registration No. 46,285; and Patrick D. McPherson, Registration No. 46,255.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR: Michael S. Crone	
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SIGNATURE: <i>Michael S. Crone</i>	DATE: 12/30/02